

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

The Utility Consumers' Action Network,

Complainant,

vs.

Pacific Bell Telephone Company and
AOL-Time Warner, Inc.,

Defendants.

Case 02-07-044
(Filed July 24, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
GRANTING MOTION TO LATE FILE**

The Utility Consumers' Action Network (UCAN) on June 5, 2003, moved to late file its response to a motion for leave to file under seal made by Pacific Bell Telephone Company, now SBC California. UCAN explained that its response was filed one day late because counsel was attending the prehearing conference in this matter. For good cause shown, the motion to late file is granted.

The parties are discussing alternatives for the resolution of this case, and they have asked that the Commission not rule until after August 12, 2003, on the following motions that are outstanding:

- Defendant AOL-Time Warner, Inc.'s Motion to Dismiss for Lack of Jurisdiction, filed October 21, 2002.
- Pacific Bell Telephone Company's Motion to Dismiss and Request for Oral Argument, filed May 19, 2003.

- Motion of Pacific Bell Telephone Company for Leave to File Under Seal Confidential Materials in Pacific Bell Telephone Company's Unredacted Separate Statement of Undisputed Facts for Its Motion to Dismiss UCAN Complaint and the Entirety of This Motion to Seal, filed May 21, 2003.

No ruling will issue on these three motions until after August 12, 2003.

However, for the guidance of the parties, it is my intention at this time to deny all three of these motions.

IT IS RULED that the motion of The Utility Consumers' Action Network to late file its response to a motion for leave to file under seal made by Pacific Bell Telephone Company, now SBC California, is granted.

Dated June 18, 2003, at San Francisco, California.

/s/ GLEN WALKER

Glen Walker
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motion to Late File on all parties of record in this proceeding or their attorneys of record.

Dated June 18, 2003, at San Francisco, California.

/s/ HELEN FRIEDMAN

Helen Friedman

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

